



General Assembly

January Session, 2007

***Raised Bill No. 1064***

LCO No. 3712

\*03712\_\_\_\_\_GAE\*

Referred to Committee on Government Administration and Elections

Introduced by:  
(GAE)

***AN ACT ELIMINATING CERTAIN PRINTING REQUIREMENTS UNDER THE FREEDOM OF INFORMATION ACT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 1-205 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) There shall be a Freedom of Information Commission consisting  
4 of five members appointed by the Governor, with the advice and  
5 consent of either house of the General Assembly, who shall serve for  
6 terms of four years from the July first of the year of their appointment,  
7 except that of the members appointed prior to and serving on July 1,  
8 1977, one shall serve for a period of six years from July 1, 1975, one  
9 shall serve for a period of four years from July 1, 1975, and one shall  
10 serve for a period of six years from July 1, 1977. Of the two new  
11 members first appointed after July 1, 1977, one shall serve from the  
12 date of such appointment until June 30, 1980, and one shall serve from  
13 the date of such appointment until June 30, 1982. No more than three  
14 members shall be members of the same political party.

15 (b) Each member shall receive two hundred dollars per day for each  
16 day such member is present at a commission hearing or meeting, and  
17 shall be entitled to reimbursement for actual and necessary expenses  
18 incurred in connection therewith, in accordance with the provisions of  
19 section 4-1.

20 (c) The Governor shall select one of its members as a chairman. The  
21 commission shall maintain a permanent office at Hartford in such  
22 suitable space as the Commissioner of Public Works provides. All  
23 papers required to be filed with the commission shall be delivered to  
24 such office.

25 (d) The commission shall, subject to the provisions of the Freedom  
26 of Information Act promptly review the alleged violation of said  
27 Freedom of Information Act and issue an order pertaining to the same.  
28 Said commission shall have the power to investigate all alleged  
29 violations of said Freedom of Information Act and may for the purpose  
30 of investigating any violation hold a hearing, administer oaths,  
31 examine witnesses, receive oral and documentary evidence, have the  
32 power to subpoena witnesses under procedural rules adopted by the  
33 commission to compel attendance and to require the production for  
34 examination of any books and papers which the commission deems  
35 relevant in any matter under investigation or in question. In case of a  
36 refusal to comply with any such subpoena or to testify with respect to  
37 any matter upon which that person may be lawfully interrogated, the  
38 superior court for the judicial district of Hartford, on application of the  
39 commission, may issue an order requiring such person to comply with  
40 such subpoena and to testify; failure to obey any such order of the  
41 court may be punished by the court as a contempt thereof.

42 (e) The Freedom of Information Commission, and the Department  
43 of Information Technology with respect to access to and disclosure of  
44 computer-stored public records, shall conduct training sessions, at  
45 least annually, for members of public agencies for the purpose of  
46 educating such members as to the requirements of sections 1-7 to 1-14,

47 inclusive, 1-16 to 1-18, inclusive, 1-200 to 1-202, inclusive, 1-205, 1-206,  
48 1-210 to 1-217, inclusive, 1-225 to 1-232, inclusive, 1-240, 1-241 and 19a-  
49 342.

50 (f) Not later than December 31, 2001, the Freedom of Information  
51 Commission shall create, publish and provide to the chief elected  
52 official of each municipality a model ordinance concerning the  
53 establishment by any municipality of a municipal freedom of  
54 information advisory board to facilitate the informed and efficient  
55 exchange of information between the commission and such  
56 municipality. The commission may amend the model ordinance from  
57 time to time.

58 (g) When the General Assembly is in session, the Governor shall  
59 have the authority to fill any vacancy on the commission, with the  
60 advice and consent of either house of the General Assembly. When the  
61 General Assembly is not in session any vacancy shall be filled  
62 pursuant to the provisions of section 4-19. A vacancy in the  
63 commission shall not impair the right of the remaining members to  
64 exercise all the powers of the commission and three members of the  
65 commission shall constitute a quorum.

66 (h) The commission shall, subject to the provisions of chapter 67,  
67 employ such employees as may be necessary to carry out the  
68 provisions of this chapter. The commission may enter into such  
69 contractual agreements as may be necessary for the discharge of its  
70 duties, within the limits of its appropriated funds and in accordance  
71 with established procedures.

72 [(i) The commission shall make available to the public the printed  
73 reports of its decisions, opinions and related materials at a reasonable  
74 cost not to exceed the actual cost thereof to said commission but not  
75 less than twenty-eight dollars per item.]

76 [(j)] (i) The Freedom of Information Commission shall not be  
77 construed to be a commission or board within the meaning of section

78 4-9a.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	1-205

**Statement of Purpose:**

To repeal an obsolete provision of the Freedom of Information Act.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*